

## **A Year of Discussion and Debate Time for Decisions and Actions**

In June, 1998, Rep. Frank Wolf (R-VA), Chair of the House Appropriations Subcommittee on Transportation, proposed moving the Office of Motor Carriers (OMC) from the Federal Highway Administration (FHWA) to the National Highway Traffic Safety Administration (NHTSA) in the FY 1999 Department of Transportation (DOT) Appropriations bill. This proposal was strongly endorsed by more than 40 consumer, health, safety, victims, medical and insurance organizations because of the failed performance of OMC in stemming the rise in truck-related deaths and injuries, the unprecedented drop in truck inspections and compliance reviews, the abysmal record of ignoring serious safety violations and levying inadequate fines, OMC's insufficient or nonexistent data collection systems, and the failure to issue federal safety standards including those mandated by Congress.

In the past year there have been:

- Two critical DOT Inspector General reports and a General Accounting Office (GAO) report documenting OMC failures;
- A half dozen major Congressional hearings, involving more than 50 witnesses from government, industry, law enforcement, labor, insurance, health and safety organizations;
- A three-day investigation of motor carrier safety programs by the National Transportation Safety Board (NTSB) involving more than 80 participants;
- Two plans offered up by the DOT;
- A 90-day review of OMC and consultations with more than 25 groups at the request of Secretary Slater, resulting in a plan recommended by former Rep. Norm Mineta;
- Countless discussions and meetings among the various stakeholders convened by Rep. Wolf, former Rep. Mineta, and NTSB;
- Two workshops held by DOT in the summer of 1999.

The following chronology demonstrates that there has been plenty of debate and discussion about proposals and now it's time for decision-making and actions.

**June, 1998:** Rep. Frank Wolf includes a provision in the FY 1999 DOT spending bill to transfer OMC to NHTSA.

**October, 1998:** Trucking interests succeed in stripping the transfer provision from the FY 1999 DOT spending bill.

**January 14, 1999:** U.S. DOT Inspector General investigation reveals that senior OMC staff improperly worked with trucking interests to lobby Congress against the transfer and that the actions

of some senior staff of OMC foster at a minimum an appearance that OMC does not have the “arms length” relationship called for between government safety regulators and the industry.

**February 2, 1999:** Rep. Wolf introduces HR 507, legislation to transfer OMC to NHTSA.

**February, 1999-April, 1999:** Rep. Wolf convenes a series of meetings involving DOT, trucking interests, law enforcement and safety groups on strategies to improve motor carrier safety programs.

**February 11, 1999:** The House Transportation and Infrastructure Committee holds the first in a series of hearings on the OMC with three witnesses from DOT.

**February, 1999:** Former Rep. Mineta is requested by Secretary Slater to undertake an independent review of motor carrier safety, functions and operations within DOT.

**February 23, 1999:** The House Appropriations Subcommittee on Transportation holds hearings on motor carrier safety with 16 witnesses representing government, victims, safety, insurance and trucking interests. The General Accounting Office (GAO) testifies that OMC activities to reduce fatalities are likely to have “little short-term effect”, and that projected increases in truck traffic are likely to result in more than 6,000 truck related fatalities in the year 2000.

**March 12, 1999:** The first motor carrier safety plan is proposed by OMC with the issuance of a draft “Safety Action Plan” covering 1999-2003.

**March 17, 1999:** The House Transportation and Infrastructure Committee holds a second oversight hearing on motor carrier safety programs.

**March 25-26, 1999:** The House Transportation and Infrastructure Committee holds additional hearings on motor carrier safety programs.

**April 14-16, 1999:** The National Transportation Safety Board (NTSB) holds three days of hearings on truck and bus safety involving more than 80 experts, including OMC staff, industry representatives, victims, insurance and safety groups highlighting serious deficiencies in OMC’s data collection, inspections, research and regulatory programs.

**April 26, 1999:** A second report is issued by the U.S. DOT Office of Inspector General at the request of the Congress to determine the effectiveness of OMC safety programs. The major conclusions are that OMC programs are not sufficiently effective and enforcement activities do not adequately deter noncompliance.

**April 27, 1999:** The Senate Commerce, Science and Transportation Committee holds oversight hearings on motor carrier safety and hears testimony from eight witnesses on the necessary steps to improve safety.

**May 25, 1999:** A second plan of action is announced by Sec. Slater and Administrator Ken Wykle to improve motor carrier safety. The announcement includes a goal of achieving a 50% reduction in truck crash fatalities over the next ten years and outlines key components of a safety plan.

**May 26, 1999:** At the request of DOT, another plan of action is unveiled by former Rep. Norm

Mineta including the results of his review of the OMC and details about specific actions, strategies and recommendations to the U.S. DOT for reducing truck related deaths and injuries. Rep. Mineta's efforts involved three roundtable discussions with 14 different stakeholder groups and meetings with 11 other individuals and groups. DOT also reveals in testimony before the House Transportation and Infrastructure Committee that the final truck fatality figure for 1997 is 5,398, an increase of 43 deaths from preliminary FARS fatalities indicating 5,355 deaths.

**May 27, 1999:** DOT announces "preliminary data" on 1998 motor vehicle fatalities and injuries. Fatalities associated with large trucks dropped only 1.8%, from 5,398 in 1997 to an estimated 5,302 in 1998. However, injuries associated with large trucks jumped by 6% (from 133,000 in 1997 to 141,000 in 1998).

**June 23, 1999:** The House adopts HR 2084, the FY 2000 DOT Appropriations bill including a provision which prohibits funding of OMC activities, including a \$70 million increase, unless it is transferred from FHWA.

**July 14-15 and August 3-4, 1999:** DOT holds workshops on the future of the Commercial Motor Vehicle Industry to design long-term strategies for DOT, industry, labor and others on "dramatically increasing safety in the trucking industry".

**August 3, 1999:** House Transportation and Infrastructure Chair, Ranking Democrat and other senior members hold a press conference to introduce the Motor Carrier Safety Act of 1999. The bill creates a new separate modal administration, the National Motor Carrier Administration. Safety groups object to provision giving new agency a dual mandate of safety and industry promotion. Provision is dropped. Rep. Shuster (R-PA) introduces by request HR 2682, the Administration's proposal to reform motor carrier safety.

**August 4, 1999:** The House Transportation and Infrastructure Subcommittee on Ground Transportation marks-up HR 2679, the Motor Carrier Safety Act of 1999.

**August 5, 1999:** Senator John McCain (R-AZ), Chair, Senate Commerce, Science and Transportation Committee, introduces S 1501, the Motor Carrier Safety Improvement Act of 1999. The bill creates a new separate modal administration, the Motor Carrier Safety Administration, requires OMC to implement the recommendations of the U.S. DOT Inspector General and gives NHTSA responsibility for data collection and issuing retrofit safety rules for commercial motor vehicles on the road. The House Transportation and Infrastructure full committee marks-up and reports out HR 2679. Senator Frank Lautenberg (D-NJ) introduces S 1559, the Administration's proposal to reform motor carrier safety.

**September 29, 1999:** The Senate Commerce, Science and Transportation Subcommittee on Surface Transportation and Merchant Marine, holds a hearing on S. 1501, the Motor Carrier Safety Improvement Act of 1999.